



# FROM COUNSEL

A Preventive Law Service of The Office of The Judge Advocate General  
*Keeping You Informed On Personal Legal Affairs*

## Organ Donation

Here are some Questions & Answers (Q&A) on Organ Donation.

**Q: Am I qualified to be a donor?**

**A.** Everyone may consider themselves a potential organ/tissue donor, regardless of age or medical history. At the time of the donation, professional transplant surgeons will determine which organs and tissue are acceptable.

**Q: If I indicate a willingness to become a donor, will every effort be made to save my life in case of accident or illness?**

**A.** Of course. Organ and tissue donation is considered only after ALL possible efforts have been made to save the patient's life. The patient's death must be certified under very strict medical guidelines. The members of the transplant team cannot be involved in certifying the patient's death.

**Q: What is the public's attitude toward donation?**

**A.** The public overwhelmingly supports organ/tissue donation. A substantial majority say they would be willing to make a donation on behalf of a loved one.

**Q: Then why is there a severe shortage of donated organs and tissue?**

**A.** Because too few people tell their families of their interest in becoming donors. Because too few people follow through and sign donor cards.

**Q: Can I specify which organs/tissue I want to donate?**

**A.** Yes. You can specify donating one, two, or all your organs and tissue.

**Q: Why should I discuss my decision with my family?**

**A.** Even if you have signed a donor card, hospital personnel will ask your family for permission before you may become an organ/tissue donor. Your family will be more likely to give permission and to be less concerned about the donation if you have told them of your decision to donate.

**Q: What will my family think about my becoming a donor?**

**A.** Most families feel very positive about the decision. It will spare them the burden of making the decision for you. Families typically experience a sense of comfort in knowing their loved one's gift gave another person a second chance at life.

**Q: How are organ/tissue recipients chosen?**

**A.** The recipients of donated organs are identified through the computer matching system of the United Network for Organ Sharing. Criteria considered include urgency of need, length of time of the waiting list, compatibility of blood type, tissue matching and body size. The system for selecting recipients of tissue is less structured but many of the same factors are used.

**Q: Will my family have to pay the costs of donation?**

**A.** All costs related to recovery of organs and tissue are paid by the organ/tissue procurement agency making the arrangements. The donor's family pays only normal funeral expenses and hospital expenses incurred before donation.

**Q: Will my body be disfigured?**

**A.** Generally, no. Skilled transplant surgeons perform the operation without altering a donor's appearance. The body is treated with the utmost respect and dignity.

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**Q: Will donating delay funeral arrangements?**

A. No, nor does it increase funeral costs.

**Q: What are religious views on organ/tissue donation?**

A. All major religions and ethical traditions approve of organ/tissue donation. They consider it an expression of the highest humanitarian ideals because organ/tissue donation enhances life.

**Q: How do I become a donor?**

A. Tell your family. You should also indicate your intent to become an organ/tissue donor on your driver's license or on a signed donor card, but these methods do not guarantee you will become a donor. In the case of organ and tissue donation, the best thing you can do is TELL YOUR FAMILY your wishes -- now. That's because, after your death, your family will be asked for permission to donate. And, if they know your wishes now, they will be better prepared to honor your request.

While not endorsing The Living Bank, here is an application for a donor card from The Living Bank. A non-profit organization that charges no fees for its services, The Living Bank has operators on call around the clock to advise donors and their families about organ/tissue donation. The Living Bank also provides quarterly informational newsletters to donors. For more information about organ/tissue donation, contact The Living Bank at 1-800-528-2971. Providing The Living Bank's application is not an endorsement of this organization, rather it is done merely to provide access to one such service.

**The Living Bank Uniform Anatomical Gift Act Donor Form**

Donor Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

In the hope that I might help others, I make this anatomical gift, if medically acceptable, to take effect upon my death. I give any needed organs and tissue.

Donor Signature \_\_\_\_\_

Social Security Number \_\_\_\_\_

Date \_\_\_\_\_

Witness #1 \_\_\_\_\_

Witness #2 \_\_\_\_\_

Next of Kin \_\_\_\_\_

Relationship to Donor \_\_\_\_\_

Next of Kin Address \_\_\_\_\_

Next of Kin City/State/Zip \_\_\_\_\_

Next of Kin Phone(s) \_\_\_\_\_

Next of Kin Signature \_\_\_\_\_

*The Living Bank P.O. Box 6725 Houston, Texas 77265 1-800-528-2971*

Mail this filled-out form to the address above. The Living Bank will send you complete information and your donor card to carry with you in the event of an emergency. Feel free to copy and use this form for family members.

For more information, visit these web sites:

At <http://www.organdonor.gov/SIGNUP.HTML> is one of many web sites that provides information and resources on organ donation and transplantation issues. Created by:

- [Health Resources and Services Administration \(HRSA\)](#)
- [Department of Health and Human Services \(DHHS\)](#)

this site also provides links to information on most states donor program via driver's licenses.

At <http://www.livingbank.org/> is the web site for The Living Bank International, a non-profit organization dedicated to the enhancement of organ and tissue donation and transplantation. The mission of The Living Bank is America's organ and tissue donor registry.

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